

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 2:18-cv-530
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

**NORFOLK SOUTHERN RAILWAY COMPANY’S MOTION IN LIMINE
REGARDING DISCONTINUANCE OF THE DIAMOND TRACK**

Defendant Norfolk Southern Railway Company (“NS”), by counsel, submits this Motion in Limine under Federal Rule of Evidence 402 and 403 to prohibit Plaintiff CSX Transportation, Inc. from offering at trial any evidence or argument that the discontinuance of the railroad track between NS Junction and Carolina Junction in South Norfolk (the “Diamond Track”) is evidence of wrongful conduct by Defendants. As set forth in the accompanying memorandum, NS respectfully requests that the Court grant this Motion and any other relief the Court deems appropriate.

Dated: May 6, 2021

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

/s/ Alan D. Wingfield

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